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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 CARMEN JOHN PERRI,

11 Plaintiff,

12 v.

13 621 APARTMENTS, LLC,

14 Defendant.

CASE NO. C19-0139JLR

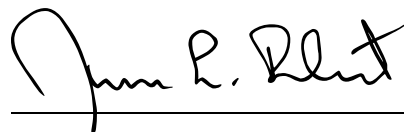
ORDER TO CAUSE WHY
PLAINTIFF AND DEFENDANT
SHOULD NOT BE SANCTIONED
FOR THEIR FAILURE TO
TIMELY COMPLY WITH THE
COURT'S ORDER

15 On April 16, 2019, the court issued an order to show cause, which required a
16 response by April 23, 2019. (OSC (Dkt. # 5).) Both Plaintiff Carmen John Perri and
17 Defendant 621 Apartments LLC failed to timely respond to the court's order. (*See*
18 *generally* Dkt.) A court may impose sanctions based on a party's failure to prosecute an
19 action, obey a court order, or comply with the court's local rules. *See, e.g., Ferdik v.*
20 *Bonzelet*, 963 F.2d 1258, 1260-61 (9th Cir. 1992) (imposing sanctions for failure to
21 comply with an order); *Malone v. U.S. Postal Serv.*, 833 F.2d 128, 130 (9th Cir. 1987)
22 (imposing sanctions for failure to comply with a court order). Accordingly, the court

1 ORDERS both Plaintiff and Defendant to show cause within seven days of the date of
2 this order why the court should not impose sanctions for their failure to timely comply
3 with the court's April 16, 2019, order.

4 To avoid sanctions, Plaintiff and Defendant must (1) explain in detail why they
5 failed to comply with the court's April 16, 2019, order, and (2) demonstrate "just cause"
6 for their noncompliance. *See* Local Rules W.D. Wash. LCR 11(c) ("An attorney or party
7 who without just cause fails to comply with any . . . order of the court . . . may be subject
8 to such . . . sanctions as the court may deem appropriate."). The court warns that, if the
9 parties fail to timely respond to this order to show cause, the court may dismiss this
10 action with prejudice or enter default judgment as appropriate. *See Pagtalunan v.*
11 *Galaza*, 291 F.3d 639, 642-43 (9th Cir. 2002) (discussing factors the court must consider
12 in determining whether to dismiss a case for failure to prosecute or comply with a court
13 order); *Pray v. M/Y NO BAD DAYS*, 303 F. App'x 563, 564 (9th Cir. 2008) (ruling that
14 because "the district court adequately considered the appropriate factors . . . terminating
15 sanctions were within its discretion," including the entry of default judgment).

16 Dated this 24th day of April, 2019.

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19 JAMES L. ROBART
20 United States District Judge
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